

EXHIBIT 3

SEARCH WARRANT

Commonwealth of Virginia VA. CODE §§ 19.2-56, 19.2-57

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth to forthwith search the following place, person or thing:
 Facebook, Inc.
 1601 Willow Rd.
 Menlo Park, CA 94025

This warrant shall be properly served on the entity named in the warrant in accordance with §19.2-70.3 of the Code of Virginia.

for the following property, objects and/or persons:
 See Attachment A

- ☐ This SEARCH WARRANT authorizes a search of a place of abode which may be executed by initial entry of the abode
☐ only in the daytime hours between 8:00 a.m. and 5:00 p.m., unless prior to the issuance of this SEARCH WARRANT, law-enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously OR
☐ at any time for good cause shown.

As this SEARCH WARRANT authorizes a search of a place of abode, you are required to be recognizable and identifiable as a uniformed law-enforcement officer and to provide audible notice of your authority and purpose reasonably designed to be heard by the occupants of the place to be searched prior to the execution of this SEARCH WARRANT.

You are further commanded to seize said property, persons, and/or objects if they be found and to produce before the Roanoke County Circuit Court an inventory of all property, persons, and/or objects seized.

This SEARCH WARRANT is issued in relation to [x] an offense substantially described as follows:

- ☐ a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:
 §18.2-152.4, Computer Trespass

I, the undersigned, have found probable cause to believe that the property or person constitutes evidence of the crime identified herein or tends to show that the person(s) named or described herein has committed or is committing a crime, or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched, and further that the search should be made, based on the statements in the attached affidavit sworn to by

BOCOCK, C.T.

NAME OF AFFIANT

06/14/2021 03:40 PM

DATE AND TIME

FORM DC-339 (MASTER, PAGE ONE OF TWO) 03/21 (EMERGENCY ENACTMENT)

[] CLERK [x] MAGISTRATE [] JUDGE
Carolyn Watson

FILE NO.

SEARCH WARRANT

COMMONWEALTH OF VIRGINIA

v./In re

www.facebook.com/jasmith15

SWN: 161CM2100004667

Attachment A

Facebook Account — "http://www.facebook.com/jasmith15"

1. Basic subscriber information, including by way of example but not limitation, the user identification number, name, e-mail address, date and time stamp of account creation, most recent logins, any and all registered telephone number(s) associated with the listed account;
2. Expanded Subscriber Content including by way of example but not limitation, profile contact information, mini-feed, status update history, shares, notes, wall postings, friend listings to include friends, Facebook ID's, group listings to include Facebook group ID's, future and past events, video listing with file names;
3. Stored active sessions, including date, time, device, IP address, machine cookie and browser information;
4. Current and past address(es) associated with this account, including by way of example but not limitation, current city, hometown and other places lived;
5. Alternate names the account holder has on the account, including by way of example but not limitation, nicknames or aliases;
6. Third-party applications (or "apps") the account holder subscribes to;
7. A history of the conversations the account holder had on Facebook Messenger;
8. Places the account holder has checked into;
9. Credit card information, including account name, account number and expiration date used in conjunction with this account;
10. Email addresses added by the account holder, including email addresses that may have subsequently been removed;
11. Events the account holder has been invited to or joined;
12. Friends the account holder has indicated are family members;
13. A list of people who follow the account holder, including by way of example but not limitation, user name and account information;
14. A list of people the account holder follows, including by way of example but not limitation, user name and account information;

6/14/21
CJB

15. Pending, sent and received friend requests, including by way of example but not limitation, user name and account information;
16. A list of the account holder's friends, including name and Facebook ID;
17. A list of addresses where the account holder has logged into his Facebook, Inc. account;
18. The last location associated with an update on this account;
19. A list of the accounts this account holder has linked to his Facebook, Inc. account;
20. A list of IP addresses, dates and times associated with logins and logouts to this Facebook, Inc. account;
21. Archives of messages the account holder has sent and received on Facebook, Inc.;
22. Networks or groups (affiliations with schools or workplaces) that the account holder belongs to on Facebook, Inc.;
23. Notes written and published to this account;
24. A list of pages this account holder administers;
25. Phone number(s) the account holder has added to his account, including by way of example but not limited to verified number(s) he/she has added for security purposes;
26. Photographs, in their original format, the account holder has uploaded to his/her account, including metadata information, including by way of example but not limitation, the date and time the photo was taken, GPS coordinates, make, model and possibly serial number of the device used;
27. Videos, in their original format, the account holder has uploaded to his/her account, including metadata information, including by way of example but not limitation, the date and time the photo was taken, GPS coordinates, make, model and possibly serial number of the device used;
28. Posts by the account holder to his/her own timeline, including by way of example but not limitation, photos, videos and status updates;
29. Posts to someone else's timeline or profile by the account holder, including by way of example but not limitation, photos, videos and status updates;
30. Screen names the account holder has added to his account, the service they are associated with, and whether these names are hidden or visible on the account;
31. Other accounts and all account information that may be associated with this account after

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it has been identified;

32. Any information that would aid in the identification of whom created the account or account that has the URL of <http://www.facebook.com/jasmith15>
33. The above-listed items are requested for the time period of April 1, 2020 through April 27, 2021

Virginia State Police

Special Agent C. Bocock

Bureau of Criminal Investigations

6/14/21
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AFFIDAVIT FOR SEARCH WARRANT Commonwealth of Virginia VA CODE § 19.2-54

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The undersigned Applicant states under oath:

1. A search is requested in relation to ☒ an offense substantially described as follows:
☐ a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:

§ 18.2-152.4. Computer Trespass

☐ CONTINUED ON ATTACHED SHEET

2. The place, person or thing to be searched is described as follows ☐ and is a place of abode:

Facebook, Inc
1601 Willow Road
Menlo Park, CA 94025

Pursuant to 19.2-70.3, your Affiant believes that the records requested are actually or constructively possessed by Facebook Inc, a foreign corporation providing electronic communication services or conducting remote computing services in the Commonwealth of Virginia.

☐ CONTINUED ON ATTACHED SHEET

3. The things or persons to be searched for are described as follows:

See Attachment A

☐ CONTINUED ON ATTACHED SHEET

COVER

FORM DC-78 (MASTER, PAGE ONE OF TWO) 07/17

FILE NO.	
AFFIDAVIT FOR SEARCH WARRANT	
APPLICANT:	
C. T. Boeck	NAME
Special Agent	TITLE (IF ANY)
3775 W. Main St	ADDRESS
Salem VA 24153	
Certified to Clerk of	Circuit Court
Roanoke	CITY OR COUNTY
on 6/14/21	DATE
Magistrate	SIGNATURE
Original Delivered <input type="checkbox"/> in person <input type="checkbox"/> by certified mail <input type="checkbox"/> by electronically transmitted facsimile <input type="checkbox"/> by use of filing/security procedures defined in the Uniform Electronic Transactions Act	
to Clerk of	Circuit Court
on	CITY OR COUNTY WHERE EXECUTED
	DATE
	TITLE
	SIGNATURE

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4. The material facts constituting probable cause that the search should be made are:

See Attachment B

5. The object, thing or person to be searched for ☒ constitutes evidence of the commission of such offense [] is the person to be arrested for whom a warrant or process for arrest has been issued.

6. ☐ Authorization to execute a search warrant of a place of abode other than in the daytime hours between 8:00 a.m. and 5:00 p.m. is requested. The material facts constituting good cause for such authorization are:

[] Reasonable efforts were made to locate a judge, and a judge is not available, before seeking authorization from a magistrate to execute a search warrant other than in the daytime hours between 8:00 a.m. and 5:00 p.m., with those reasonable efforts being as follows:

OR [] Reasonable efforts were not made to locate a judge as the following circumstances require the issuance of the search warrant after 5:00 p.m.:

7. ☒ I have personal knowledge of the facts set forth in this affidavit AND/OR
☐ I was advised of the facts set forth in this affidavit, in whole or in part, by one or more other person(s). The credibility of the person(s) providing this information to me and/or the reliability of the information provided may be determined from the following facts:

Your affiant is a sworn special agent and has been employed with the Virginia State Police for 9 years. Your affiant has participated in a variety of criminal investigations including but not limited to: fraud, sex crimes, banking crimes, arson, illegal explosives, homicide, narcotics, embezzlement, larceny, weapons violations, malicious wounding and other crimes. Your affiant has executed and assisted in numerous search warrants involving criminal investigations.

The statements above are true and accurate to the best of my knowledge and belief.

Special Agent
 TITLE OF APPLICANT

Special Agent C.T. Buonc
 APPLICANT

Subscribed and sworn to before me this day.

6/14/21

15:35

DATE AND TIME

FORM DC-308 (MASTER, PAGE TWO OF TWO) (H-21) (EMERGENCY ENACTMENT)

[] CLERK [] MAGISTRATE [] JUDGE

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Attachment A

Facebook Account -- "http://www.facebook.com/jasmih15"

1. Basic subscriber information, including by way of example but not limitation, the user identification number, name, e-mail address, date and time stamp of account creation, most recent logins, any and all registered telephone number(s) associated with the listed account;
2. Expanded Subscriber Content including by way of example but not limitation, profile contact information, mini-feed, status update history, shares, notes, wall postings, friend listings to include friends, Facebook ID's, group listings to include Facebook group ID's, future and past events, video listing with file names;
3. Stored active sessions, including date, time, device, IP address, machine cookie and browser information;
4. Current and past address(es) associated with this account, including by way of example but not limitation, current city, hometown and other places lived;
5. Alternate names the account holder has on the account, including by way of example but not limitation, nicknames or aliases;
6. Third-party applications (or "apps") the account holder subscribes to;
7. A history of the conversations the account holder had on Facebook Messenger;
8. Places the account holder has checked into;
9. Credit card information, including account name, account number and expiration date used in conjunction with this account;
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it has been identified;

32. Any information that would aid in the identification of whom created the account or account that has the URL of <http://www.facebook.com/jasmith15>
33. The above-listed items are requested for the time period of April 1, 2020 through April 27, 2021

Virginia State Police

Special Agent C. Bocock

Bureau of Criminal Investigations

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Attachment B

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Commonwealth of Virginia

VA CODE § 19.2-54

4. The material facts constituting probable cause that the search should be made are:

On April 26, 2021 your affiant spoke with First Sergeant Shawn Richardson with the Rocky Mount Police Department who reported their surveillance video footage from May 31, 2020 was obtained unlawfully and provided to a citizen, Joe Stanley, who then posted an unauthorized copy of the surveillance video footage to Facebook on April 12, 2021 at 7:48 p.m. using Facebook account "Facebook.com/joestanley24067". First Sergeant Shawn Richardson advised there are only four employees who had access to their surveillance system and two of them are no longer employed with the police department. Mr. Joe Stanley has made several posts to facebook reflecting his disdain for the local governments actions and the Rocky Mount Town Police Department. A search warrant response from facebook shows information regarding the Rocky Mount Town Council and Rocky Mount Police Department being shared with Mr. Joe Stanley by a Justin Smith from account "Facebook.com/jasmith15".

Virginia State Police
 Special Agent C. Bocock
 Bureau of Criminal Investigations

Date: 10/14/21
 Initial: GFD